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April 8, 2025

Via ECF

Hon. Katharine H. Parker
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *City of Almaty, et al. v. Khrapunov*, 15-cv-05345 (JGK) (KHP)

Dear Judge Parker:

I write on behalf of my firm, Solomon, Cramer & Summit LLP, in response to the letter motion filed by City of Almaty, Kazakhstan and BTA Bank (collectively, the “Kazakh Entities”) to compel disclosure of account details for the source of legal fees paid to us in connection with our representation of Ilyas Khrapunov.

In response to the subpoena and at the meet and confer, I volunteered to produce documents showing that Mr. Khrapunov’s mother, Leila, has been funding his legal defense. But to protect Leila’s privacy interests, I indicated that I had to redact her bank and account details.

It is true that judgment creditors have broad discovery rights, but they are not without limits. “[A] creditor must still show that the discovery sought ‘is relevant to the judgment debtor’s income and property,’ especially when seeking discovery from non-parties.” *Rossini v. Republic of Arg.*, 453 F. App’x 22, 24 (2d Cir. 2011); *accord Barteck v. Consol. Edison Co. of N.Y., Inc.*, 2024 NY Slip Op 32413(U), 7 (Sup. Ct.). Here, the Kazakh Entities have proffered no evidence of Mr. Khrapunov’s mother ever using her accounts to hold her son’s assets or to shield them from collection. Indeed, the Kazakh Entities’ position has always been the reverse, that Ilyas was hiding his relatives’ money. Moreover, Ilyas has consistently and openly disclosed that he has been forced to rely on the generosity of his parents to meet his living expenses. Nor is it reasonable to draw a nefarious inference from the fact that his mother is supporting him and his family. The Court can take judicial notice that parents generally care for their children.¹

¹ See Darwin, C. (2011). *The origin of species*. William Collins.

I am also reluctant to produce confidential financial information to the Kazakh Entities, given their documented record of human rights abuses and intimidation, including as to the Khrapunov family. Here's what the U.S. State Department has published about Kazakhstan:

Significant human rights issues included credible reports of: torture and cruel, inhuman, or degrading treatment by the government; harsh and life-threatening prison and detention conditions; arbitrary arrest and detention; serious problems with the independence of the judiciary; political prisoners and detainees; ***transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative***; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, and enforcement of or threat to enforce criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; restrictions on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; extensive gender-based violence; crimes involving threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; significant or systematic restrictions on workers' freedom of association; and the existence of the worst forms of child labor.²

Finally, the timing of the subpoena to my firm, just after I appeared to help Ilyas with the upcoming contempt hearing, is additional cause for concern.

Respectfully yours,

/s/Andrew T. Solomon

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cc: All Counsel (via ECF)

² <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/kazakhstan/> (Accessed 4/8/25; emphasis added).